

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

OWEN W. BARNABY,
Plaintiff- Appellant

)
)

Vs.

) Hon. Robert J. Jonker
) Hon. Mag. Sally J. Berens

MICHIGAN STATE GOVERNMENT, ET, AL
Defendants- Appellees

) Case No. 1:22 -CV- 1146

Owen W. Barnaby
P.O. Box 1926
Kennesaw, GA 30156
(678) 382- 4183
Bossproperties96@gmail.com

Attorney T. Hackworth
Berrien County Government
701 Main Street, St. Joseph, Michigan 49085
T. (269) 983-7111, ex 8416 | thackworth@berriencounty.org

Attorney, T. Seth Koches,
Niles-Charter-Township/Board of Trustee
470 W. Centre Ave., Ste. A, Portage, MI. 49024
T. 269-382-4500 Koches@michigantownshiplaw.com

Jeffery R. Holmstrom (P29405)
Holmstrom Law Office PLC
830 Pleasant Street Suite 100
St. Joseph, MI 49085
T. (269)-983-0755 | jeff@holmstromlawoffice.com

Attorney Emily P Jenks
6th Floor at Ford Field
1901 St. Antoine St. Detroit, MI 48226
T: 313-393-7582 | EJenks@bodmanlaw.com

Berrien County Courthouse,
811 Port St, St Joseph, MI 49085

Pendrick Kimberly Attorney General of Michigan
525 W. Ottawa, 5th Floor
P.O. Box 30736, Lansing, MI 48909
T. 517-335- 7659 | PendrickK@michigan.gov

EXPEDITED CONSIDERATION REQUESTED

For,

**Motion for Leave to Submit New Discoveries with Supplemental Brief, To Defendants’
Opposition to Plaintiff’s,**

**Amended Appeal from the Magistrate Judge’s Orders (ECF No. 91, In Part,
And (ECF No. 96) In Full, to the District Court’s Judge.**

Comes now, Plaintiff, In Pro Se, with his “EXPEDITED CONSIDERATION REQUESTED, Motion for Leave to Submit New Discoveries with Supplemental Brief, To Defendants’ Opposition to Plaintiff’s; Amended Appeal from the Magistrate Judge’s Orders (ECF No. 91, In Part, and (ECF No. 96) In Full, to the District Court’s Judge”. After Plaintiff, In Pro Se, filed and submitted his Appeal Brief (ECF No. 100), he has discovered new material evidence that, Defendants were properly served by Plaintiff with Summonses and Copies of Complaint, primary examples are (**Exhibits W-12, 15**). Plaintiff is not sure if he could response by right or course, as such he motions Court by Leave.

Relief Requesting

For the reasons articulated therein Plaintiff humbly and respectfully request that this Honorable Court would Grant his Motion for Leave to Submit these New Material Discoveries and others, with the Supplemental Brief.

Respectfully Submitted,

Dated: January 17, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

CERTIFICATE OF SERVICE

The undersigned states that on the 17th day of January 2024, a duplicate original of Plaintiff's, "EXPEDITED CONSIDERATION REQUESTED, Motion for Leave to Submit New Discoveries with Supplemental Brief, To Defendants' Opposition to Plaintiff's; Amended Appeal from the Magistrate Judge's Orders (ECF No. 91, In Part, and (ECF No. 96) In Full, to the District Court's Judge", was filed with the Clerk of the Court, using the ECF System, which will provide electric notice to the parties of record, and I have email and mailed by U.S. Postal Service the same to non-ECP participants.

Respectfully Submitted,

Dated: January 17, 2024,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

OWEN W. BARNABY,
Plaintiff- Appellant

)
)

Vs.

) Hon. Robert J. Jonker
) Hon. Mag. Sally J. Berens

MICHIGAN STATE GOVERNMENT, ET, AL
Defendants- Appellees

) Case No. 1:22 -CV- 1146

Owen W. Barnaby
P.O. Box 1926
Kennesaw, GA 30156
(678) 382- 4183
Bossproperties96@gmail.com

Attorney T. Hackworth
Berrien County Government
701 Main Street, St. Joseph, Michigan 49085
T. (269) 983-7111, ex 8416 | thackworth@berriencounty.org

Attorney, T. Seth Koches,
Niles-Charter-Township/Board of Trustee
470 W. Centre Ave., Ste. A, Portage, MI. 49024
T. 269-382-4500 Koches@michigantownshiplaw.com

Jeffery R. Holmstrom (P29405)
Holmstrom Law Office PLC
830 Pleasant Street Suite 100
St. Joseph, MI 49085
T. (269)-983-0755 | jeff@holmstromlawoffice.com

Attorney Emily P Jenks
6th Floor at Ford Field
1901 St. Antoine St. Detroit, MI 48226
T: 313-393-7582 | EJenks@bodmanlaw.com

Berrien County Courthouse,
811 Port St, St Joseph, MI 49085

Pendrick Kimberly Attorney General of Michigan
525 W. Ottawa, 5th Floor
P.O. Box 30736, Lansing, MI 48909
T. 517-335- 7659 | PendrickK@michigan.gov

CERTIFICATE REGARDING COMPLIANCE WITH LCivR 7.1(d)

EXPEDITED CONSIDERATION REQUESTED

**FOR Motion for Leave to Respond to Defendants'
Oppositions to Plaintiff's Appeal Brief.**

In accordance with W.D Mich. LCivR 7.1(d), the undersigned hereby certifies that, on January 16, 2024, Plaintiff tried to contact Defendants via their legal representative at the about emails, to ascertain whether they would object to Plaintiff's EXPEDITED CONSIDERATION REQUESTED, Motion for Leave to Submit New Discoveries and Supplemental Brief, To Defendants' Opposition to Plaintiff's; Amended Appeal from the Magistrate Judge's Orders (ECF No. 91, In Part, And (ECF No. 96) In Full, to the District Court's Judge, but is yet to hear back from them. As such, Plaintiff is not sure if Defendants will object.

Respectfully Submitted,

Dated: January 17, 2024,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.